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PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/634,457        |
| Filing Date            | August 5, 2003    |
| First Named Inventor   | BAKER, William J. |
| Art Unit               | 2837              |
| Examiner Name          | SALATA, Anthony   |
| Attorney Docket Number | GRA110/109733     |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☒ Other Petition to Withdraw from Issue

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 12-1660

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☒ Other Petition Fee

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                  |                                   |               |
|-------------------|------------------|-----------------------------------|---------------|
| Name (Print/Type) | Richard P. Stitt | Registration No. (Attorney/Agent) | 35,693        |
| Signature         |                  | Date                              | July 07, 2005 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

|                   |  |
|-------------------|--|
| Name (Print/Type) |  |
| Signature         |  |
| Date              |  |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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07/11/2005 SSITHIB1 00000042 121660 10634457

01 FC:2801 395.00 DA

Adjustment date: 09/15/2005 SDIRETA1 10634457  
07/11/2005 SSITHIB1 00000042 121660  
02 FC:1464 130.00 CR



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/634,457  
Applicant : William J. Baker  
  
Filing Date : August 5, 2003  
Art Unit : 2837  
Title : COORDINATED LIFT SYSTEM  
Examiner : A. Salata  
  
Docket No. : GRA110/109733  
Customer No. : 24030

MAIL STOP PETITION  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR WITHDRAWAL OF APPLICATION FROM ISSUE**

Sir:

Applicant petitions the Commissioner of Patents and Trademarks to withdraw the present application from issue under 37 C.F.R. 1.313(c)(2), the Issue Fee having been previously paid. The fee required under 37 C.F.R. 1.17(h) is to be charged to Deposit Account No. 12-1660.

Withdrawal of the application from issue is necessary for consideration of applicant's Request for Continued Examination under 37 C.F.R. 1.114, (copy attached and courtesy copy sent to Examiner Salata) which is submitted herewith to enable consideration of a reference which first came to applicant's attention after payment of the issue fee.

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07/11/2005 SSITHIB1 00000042 121660 10634457  
02 FC:1464 130.00 DA

*The Law Firm Of**A Professional Corporation*

**Darla Faulhaber**  
**Intellectual Property Paralegal**  
dfaulhaber@stklaw.com  
Direct Dial (816) 218-1274  
Fax (816) 374-0509  
File No. GRA110/109733

July 21, 2005

**VIA FACSIMILE 571-273-6500**

MAIL STOP 16

Director of USPTO

P.O. Box 1450

Alexandria, VA 22313-1450

**RE: Refund of Funds**  
**Deposit Account #121660**  
**U.S. Patent Appln. Serial No. 10/634,457**  
**Attorney Docket No. GYAP97745**

Dear Sir:

On July 7, 2005, Shughart Thomson & Kilroy filed a Petition to Withdraw from Issue and a Request for an RCE for the above-identified patent application. The fees for the Petition were \$130 (fee code 1464 and \$395 (fee code 2801) for the RCE. We authorized the Patent Office to charge these fees to our Deposit Account. The fees were charged to the account on July 8. The fees were then charged a second time on July 11, 2005.

Please refund to our deposit account the amount of \$525.

Very truly yours,

**DARLA FAULHABER**  
Intellectual Property Paralegal

DF  
Enclosure

Twelve Wyandotte Plaza, 120 W. 12th Street, Kansas City, MO 64105 • (816) 421-3355 • www.stklaw.com  
KANSAS CITY, MO • OVERLAND PARK, KS • SPRINGFIELD, MO • DENVER, CO • PHOENIX, AZ • ST. JOSEPH, MO

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PAGE 2/3 \* RCVD AT 7/21/2005 12:46:07 PM [Eastern Daylight Time] \* SVR:USPTO-EFXXRF-6/25 \* DNIS:2736500 \* CSID:816 374 0509 \* DURATION (mm-ss):01-02

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## Deposit Account Statement

Page 1 of 2


**United States  
Patent and  
Trademark Office**
**Deposit Account Statement**

Requested Statement Month: July 2005  
 Deposit Account Number: 121860  
 Name: SHUGHART, THOMSON & KILROY, P. C.  
 Attention: ACCOTNTS PAYABLE  
 Address: 120 WEST 12TH STREET  
 City: KANSAS CITY  
 State: MO  
 Zip: 64112  
 Country: UNITED STATES OF AMERICA

| DATE  | SEQ | POSTING<br>REF TXT | ATTORNEY<br>DOCKET<br>NBR | FEE<br>CODE | AMT       | BAL        |
|-------|-----|--------------------|---------------------------|-------------|-----------|------------|
| 07/01 | 161 | E-REPLENISHMENT    |                           | 9203        | \$225.00  | \$1,601.00 |
| 07/01 | 162 | E-REPLENISHMENT    |                           | 9203        | \$40.00   | \$1,561.00 |
| 07/01 | 173 | 10359867           | 506381-0002               | 2252        | \$225.00  | \$1,336.00 |
| 07/06 | 100 | 10387891           | 5000508-9                 | 1251        | \$120.00  | \$1,216.00 |
| 07/07 | 25  | E-REPLENISHMENT    |                           | 9203        | -\$100.00 | \$1,316.00 |
| 07/07 | 26  | E-REPLENISHMENT    |                           | 9203        | -\$200.00 | \$1,516.00 |
| 07/07 | 27  | E-REPLENISHMENT    |                           | 9203        | -\$500.00 | \$2,016.00 |
| 07/08 | 4   | 10634457           | GYAP.97745                | 1464        | \$130.00  | \$1,886.00 |
| 07/08 | 5   | 10634457           | GYAP.97745                | 2801        | \$395.00  | \$1,491.00 |
| 07/08 | 27  | PAYMENT            |                           | 9204        | -\$40.00  | \$1,531.00 |
| 07/11 | 117 | 10634457           | GYAP.97745                | 2801        | \$395.00  | \$1,136.00 |
| 07/11 | 118 | 10634457           | GYAP.97745                | 1464        | \$130.00  | \$1,006.00 |
| 07/12 | 41  | E-REPLENISHMENT    |                           | 9203        | -\$500.00 | \$1,506.00 |
| 07/13 | 62  | 11177545           | CLA109/112788             | 2011        | \$150.00  | \$1,356.00 |
| 07/13 | 63  | 11177545           | CLA109/112788             | 2111        | \$250.00  | \$1,106.00 |
| 07/13 | 64  | 11177545           | CLA109/112788             | 2311        | \$100.00  | \$1,006.00 |
| 07/14 | 238 | 60588476           | XTR001/110025             | 8021        | \$40.00   | \$966.00   |
| 07/15 | 9   | 10521415           |                           | 9204        | -\$135.00 | \$1,101.00 |
| 07/15 | 596 | 2248782            |                           | 8521        | \$40.00   | \$1,061.00 |
| 07/15 | 597 | 2356026            |                           | 8522        | \$25.00   | \$1,036.00 |
| 07/18 | 54  | E-REPLENISHMENT    |                           | 9203        | -\$120.00 | \$1,156.00 |
| 07/19 | 74  | E-REPLENISHMENT    |                           | 9203        | -\$525.00 | \$1,681.00 |
| 07/19 | 76  | E-REPLENISHMENT    |                           | 9203        | -\$500.00 | \$2,181.00 |
| 07/19 | 76  | E-REPLENISHMENT    |                           | 9203        | -\$500.00 | \$2,681.00 |
| 07/20 | 14  | E-REPLENISHMENT    |                           | 9203        | -\$40.00  | \$2,721.00 |

START

SUM OF

SUM OF

END

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LAW OFFICES OF  
**SHUGHART THOMSON & KILROY, P.C.**  
*A Professional Corporation*

Twelve Wyandotte Plaza  
120 W. 12th Street  
Kansas City, MO 64105  
(816) 421-3355  
FAX (816) 374-0509

**TELECOPIER TRANSMITTAL SHEET**

To: Mail Stop 16  
Director of USPTO

FAX#: 571-273-6500

PHONE #:

FROM: Darla Faulhaber

DATE: July 21, 2005

RE: Refund to Deposit Account #121660

CLIENT MATTER CODE: STK099/00099

This transmission consists of 3 pages, including the cover page.

MESSAGE:

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TO DISCUSS TRANSMISSION: (816) 421-3355

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| Darla Faulhaber                        |                     |  |
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